

**Amendments to the Claims:**

A listing of the entire set of pending claims (including amendments to the claims, if any) is submitted herewith per 37 CFR 1.121. This listing of claims will replace all prior versions, and listings, of claims in the application.

**Listing of Claims:**

1. (Currently amended) Method A method of transmitting data packets from a transmitter to a receiver, wherein an indicator is sent along with each data packet of the data packets; wherein the indicator indicates whether the respective data packet is a new data packet or a re-sent data packet; wherein, when the receiver receives a first data packet with an error, the receiver sends a first negative confirmation (NACK) message to the transmitter; and wherein, when if the receiver subsequently decodes a first an error-free second data packet without an error, which data packet was that was sent along with the indicator indicating that the first-second data packet is a new data packet after the receiver has sent a first confirmation message with respect to a second data packet, the receiver sends a second-revert (REV) confirmation message to the transmitter that acknowledges receipt of the second data packet and requests the transmitter to re-send the second-first data packet.
2. (Currently amended) The method of claim 1, wherein, when the receiver receives an error-free data packet, the receiver sends a third an acknowledgement confirmation (ACK) message to the transmitter;
3. (Currently amended) The method of claim 1, wherein the second-a third data packet is re-sent-without data is sent in response to the revert confirmation message.
4. (Currently amended) The method of claim 1, wherein the second-a third data packet is re-sent-is sent in response to the revert confirmation message with one of: a part of the data originally included in the second-first data packet, and the complete all of the data originally included in the second-first data packet.

5. (Currently amended) The method of claim 1, wherein, ~~instead of re-sending the second data packet,~~ the transmitter ignores the ~~second-revert~~ confirmation message and sends a new third data packet.

6. (Original) The method of claim 1, wherein the indicator has a length of 1 bit.

7. (Original) The method of claim 1, wherein the method is an extension of the HARQ protocol in UMTS; and wherein the indicator is sent via the High Speed Shared Control Channel of UMTS.

8. (Currently amended) ~~System A system~~ for transmitting data packets from a transmitter to a receiver, comprising the transmitter and the receiver; wherein the transmitter sends an indicator along with each data packet of the data packets; wherein the indicator indicates whether the respective data packet is a new data packet or a re-sent data packet; wherein, when the receiver decodes a first data packet with an error, the receiver sends a first-negative (NACK) confirmation message to the transmitter; wherein, ~~when if~~ the receiver decodes a first-second data packet without an error, which second data packet was sent along with the indicator which indicates that the first-second data packet is a new data packet after the receiver has sent ~~a the negative first~~ confirmation message with respect to ~~a second the first~~ data packet, the receiver sends a second-revert (REV) confirmation message to the transmitter; and wherein the second-revert confirmation message tells-requests the transmitter to re-send the ~~second-first~~ data packet.

9. (Currently amended) The system of claim ~~4.8~~, wherein the system is a UMTS mobile telecommunication system; and wherein the indicator is sent via the High Speed Shared Control Channel of UMTS.

10. (Currently amended) ~~Base-A~~ base station for a mobile radio communication system, wherein the base station comprises a transmitter for transmitting data packets to a receiver of the mobile radio communication system; wherein the transmitter is adapted to send an indicator along with each data packet of the data packets; wherein the indicator indicates whether the respective data packet is a new data packet or a resent data packet; and wherein, when the transmitter decodes a ~~second-revert (REV)~~ confirmation message from the receiver ~~which that~~ indicates that the receiver decoded a first data packet with an error and a second data packet without an error, which second data packet was sent along with the indicator indicating that the ~~first-second~~ data packet is a new data packet ~~after the receiver has sent a first confirmation message with respect to a second data packet, the first confirmation message indicating the decoding of the second data packet with an error,~~ the transmitter is adapted to re-send the ~~second~~ first data packet.

11. (Currently amended) ~~Mobile-A~~ mobile subscriber station for a mobile radio communication system, wherein the mobile subscriber station comprises a receiver for receiving data packets from a transmitter of the mobile radio communication system, wherein the transmitter sends an indicator along with each data packet of the data packets; wherein the indicator indicates whether the respective data packet is a new data packet or a re-sent data packet; wherein, when the receiver decodes a first data packet with an error, the receiver is adapted to send a ~~first-negative (NACK)~~ confirmation message to the transmitter; wherein, when the receiver decodes a ~~first~~ second data packet without an error, which second data packet was sent along with the indicator indicating that the ~~first-second~~ data packet is a new data packet after the receiver has sent a ~~first-the negative~~ confirmation message with respect to a ~~second~~ the first data packet, the receiver is adapted to send a ~~second-revert (REV)~~ confirmation message to the transmitter; and wherein the ~~second-revert~~ confirmation message tells-acknowledges receipt of the second data packet and requests the transmitter to re-send the ~~second-first~~ data packet.

12. (Currently amended) Computer A program that is stored on a computer readable medium encoded with computer executable instructions for controlling a transmission of data packets from a transmitter to a receiver of a mobile radio communication system, wherein, when the computer program is executed on the mobile radio communication system, the computer program causes that: the transmitter sends an indicator along with each data packet of the data packets; wherein the indicator indicates whether the respective data packet is a new data packet or a re-sent data packet; when the receiver decodes a data packet with an error, the receiver sends a first confirmation message to the transmitter; when the receiver decodes a first data packet without an error, which data packet was sent along with the indicator indicating that the first data packet is a new data packet after the receiver has sent a first confirmation message with respect to a second data packet, the receiver sends a second confirmation message to the transmitter; and the transmitter re-sends the second data packet upon reception of the second confirmation message and, when the transmitter decodes a revert (REV) confirmation message from the receiver that indicates that the receiver decoded a first data packet with an error and a second data packet without an error, the transmitter is adapted to re-send the first data packet.

13. (New) A method comprising:

    sending a negative (NACK) confirmation message from a receiver indicating to the transmitter that an immediately preceding data packet is to be resent, and

    sending a revert (REV) confirmation message from the receiver if a subsequently received data packet includes an indicator that this received data packet is not a retransmission in response to the negative confirmation message,

    wherein the revert confirmation message indicates to the transmitter that the received data packet has been received without error, and that the immediately preceding data packet before the received data packet is to be resent.

14. (New) The method of claim 13, wherein the indicator indicates whether the received data packet is a newly transmitted data packet.

15. (New) The method of claim 13, including receiving another data packet at the receiver and sending an affirmative (ACK) confirmation message from the receiver if an error is not detected in the another data packet.

16. (New) A method comprising:

transmitting a data packet of a series of data packets from a transmitter to a receiver,

receiving a revert (REV) confirmation message from the receiver indicating that the data packet has been received satisfactorily at the receiver and that an immediately prior data packet in the series of data packets is to be retransmitted, and selectively transmitting the immediately prior data packet.

17. (New) The method of claim 16, including selecting to transmit the immediately prior data packet based on a count of prior retransmissions of the immediately prior data packet.

18. (New) The method of claim 16, including selecting to transmit an empty data packet in response to the revert confirmation message.

19. (New) The method of claim 16, including receiving an affirmative (ACK) confirmation message and transmitting a next data packet of the series of data packets in response to the affirmative confirmation message.

20. (New) The method of claim 19, including receiving a negative (NACK) confirmation message and retransmitting the next data packet in response to the negative confirmation message.

21. (New) A system comprising at least one transmitter and at least one receiver, wherein each transmitter and receiver is configured to execute a protocol that includes three confirmation message types:

an affirmative confirmation (ACK) that signals to the transmitter that a most recently transmitted data packet has been received satisfactorily at the receiver;

a negative confirmation (NACK) that signals to the transmitter that the most recently transmitted data packet has not been received satisfactorily at the receiver;  
and

a revert confirmation (REV) that signals to the transmitter that the most recently transmitted data packet has been received and that an immediately prior transmitted data packet has not been received satisfactorily at the receiver.